

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Charles Johnson,

Plaintiff,

v.

TheHuffingtonPost.com, Inc.,

Defendant.

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CIVIL ACTION NO. 4:20-cv-00179

**NOTICE OF ERRATA RE
DEFENDANT THEHUFFINGTONPOST.COM, INC.’S DECLARATION OF ANDY
CAMPBELL IN SUPPORT OF MOTION TO DISMISS PURSUANT TO RULE 12(b)(2)**

Please take notice that Defendant TheHuffingtonPost.com, Inc.’s (“HuffPost’s”) Motion to Dismiss Plaintiff’s First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(2) attached an accompanying Declaration of Andy Campbell (“Campbell Declaration”) containing an error. *See* ECF No. 32-1 at ¶ 5. The Campbell Declaration erroneously stated that the HuffPost article at issue in this action was published on February 17, 2019, but it was actually published on January 17, 2019. A corrected Campbell Declaration is attached hereto. HuffPost respectfully requests that the Court consider the corrected Campbell Declaration in support of HuffPost’s Motion to Dismiss pursuant to Rule 12(b)(2), instead of the original Campbell Declaration.

DATED: April 24, 2020

Respectfully submitted,

/s/ Jean-Paul Jassy

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CIVIL ACTION NO. 4:20-cv-00179

DECLARATION OF ANDY CAMPBELL

I, Andy Campbell, hereby declare:

1. I am a senior editor and reporter at TheHuffingtonPost.com, Inc. (“HuffPost”). I am over twenty-one years old, of sound mind, and am fully competent to make this declaration. I have personal knowledge of the facts stated in this declaration, and those facts are true and correct.

2. I am a resident of the State of New York, and I also am employed in New York. I do not maintain a residence in Texas or own or lease any real or personal property in Texas.

3. I am not employed in Texas, nor do I regularly transact business in Texas. I do not have any assets or any type of bank or other account in Texas.

4. I do not maintain an office in Texas, I do not have any employees in Texas, I have never had a Texas professional license, and I do not regularly travel to Texas for business.

5. On January 17, 2019, at 12:03 p.m. ET, HuffPost published an article I wrote titled "2 GOP Lawmakers Host Chuck Johnson, Holocaust-Denying White Nationalist" (hereinafter referred to as "the Article"). A true and correct copy of the Article as published is attached as **Exhibit 1** to this declaration.

6. I made no contact with Texas in researching or reporting for the Article. I did not visit Texas, nor did I make any phone calls to Texas residents, or conduct any interviews or research in Texas in connection with the Article.

7. When I wrote the Article, I was not aware that Charles Johnson resided in Texas.

8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in BROOKLYN, NEW YORK, on APRIL 24, 2020.

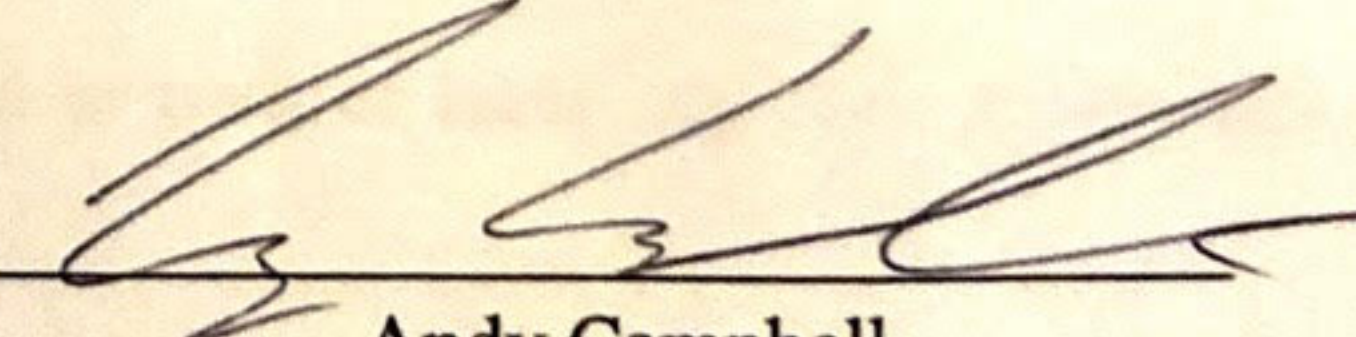

Andy Campbell

EXHIBIT 1

POLITICS 01/17/2019 12:03 pm ET **Updated** Jan 24, 2020

2 GOP Lawmakers Host Chuck Johnson, Holocaust-Denying White Nationalist

Reps. Andy Harris and Phil Roe discussed “DNA sequencing” with Johnson, just after the House disavowed white supremacy.



By Andy Campbell

Two Republican congressmen met with noted Holocaust denier and white nationalist Chuck Johnson to discuss “DNA sequencing,” less than a day after the House voted to disavow white supremacy and white nationalism in reaction to racist comments by Rep. Steve King (R-Iowa).

HuffPost’s Matt Fuller tweeted an image of Johnson walking alongside Reps. Andy Harris (R-Md.) and Phil Roe (R-Tenn.) on Wednesday, noting that “both waited for him to get through security” at the Capitol without them.





Matt Fuller
@MEPFuller

Correct me if I'm wrong, but is that Chuck C. Johnson walking with Reps. Phil Roe and Andy Harris?

Both waited for him to get through security.



2,863 2:12 PM - Jan 16, 2019

2,205 people are talking about this

The lawmakers faced immediate backlash. Johnson is widely known as a white nationalist and social-media troll, according to the Southern Poverty Law Center.

He also questions how many Jewish people were killed in the Holocaust, ran a crowdfunding site for white supremacists and neo-Nazis, said "anti-racist is anti-white," was kicked off Twitter for threatening to "take out" a Black Lives Matter activist and suggested an Amtrak crash was caused by the engineer's sexuality. He drew scrutiny last week when

Rep. Matt Gaetz (R-Fla) gave him a ticket to attend President Donald Trump's State of the Union address.

Responding to questions raised about their meeting with Johnson, Harris and Roe said they had no knowledge of his past.

Roe's office said the lawmaker met with Johnson to discuss "what seemed like legitimate information" about "DNA sequencing."

"Congressman Roe would not have taken the meeting had he been aware of Mr. Johnson's previously expressed views — which he believes are abhorrent — were not alluded to in the meeting, and were not readily discoverable when Congressman Roe's staff looked into the name 'Charles Johnson,' which is how he was presented," spokesman Alexander Whitley told HuffPost in an email.

The meeting, in which Johnson "advocated for more publicly-available sequenced genomes," lasted "less than 10 minutes," Whitley said.

Harris' statement was similar — he told the Daily Beast he was "unaware of [Johnson's] previous associations."

"Of course I disavow and condemn white supremacy and anti-semitism," his statement said.

Some white nationalists have become obsessed with genetics; most recently, prominent alt-right figures began co-opting white milk as a symbol for white supremacy, pointing to misleading and misguided genetic studies implying that people of color are more likely to report lactose intolerance. White supremacists also have been flocking to genetic ancestry tests to prove their white heritage — sometimes with mixed results.

On Tuesday, the House voted almost unanimously to condemn white supremacy after a furor erupted over King — long known for his bigoted rhetoric — asked in a New York Times interview how the terms "white supremacist" and "white nationalist" became "offensive."

Some lawmakers also pushed for the House to consider a measure that would officially censure King. But on Wednesday, Democratic House leaders said such a resolution would

not be considered.

UPDATE: Jan. 24, 2020 — A year after publication, Johnson’s lawyers sent HuffPost a letter in which they assert Johnson “believes that there was a systematic campaign to commit atrocities against Jewish people during the Second World War, that he believes that America should not be a nation only for white people, that he does not believe that white people are ‘superior’ to other races of human beings, and that he is not anti-Semitic.”

Do you have information you want to share with HuffPost? [Here’s how.](#)